

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- v. -

BEVELYN BEATTY WILLIAMS,

Defendant

22-cr-00684-JLR

ORDER

JENNIFER L. ROCHON, United States District Judge:

On September 27, 2024, Defendant Bevelyn Beatty Williams filed a letter with this Court requesting a postponement of her October 16, 2024 surrender date because she seeks to undergo [REDACTED] surgery in four business days, on October 3, 2024. Dkt. 160 (“Ltr.”).¹ For the following reasons, Defendant’s request is DENIED.

On February 22, 2024, the Defendant was convicted of a substantive violation of 18 U.S.C. § 248 following a jury trial. *See* Dkt. 110. The Court scheduled the Defendant’s sentencing hearing for May 28, 2024. Dkt. 127 at 919:17-25. Defendant requested an adjournment of her sentencing hearing. Dkt. 136. The Court granted Defendant’s request and adjourned the Defendant’s sentencing hearing to July 24, 2024. Dkt. 137.

On July 24, 2024, the Court entered judgment against the Defendant and imposed the sentence of incarceration for 41 months followed by two years of supervised release. Dkt. 149; Dkt. 151 at 54:15-21, 55:11-12. Instead of remanding the Defendant immediately, the Court granted Defendant’s request for voluntary surrender and ordered that Defendant

¹ The Defendant submitted an unredacted version of the letter at Dkt. 160 to the Court by email, but failed to electronically file the document under seal. The Defendant shall file under seal the unredacted version of the letter at Dkt. 160, along with all attachments, within two days of this order, along with an appropriate sealing application.

voluntarily surrender on October 16, 2024. Dkt. 151 at 58:23-59:13. At no time was the Court ever informed of an impending or considered surgery.

Now, only about two and a half weeks before she is to surrender, Defendant has informed the Court that she is seeking to undergo [REDACTED] surgery in a few days to address [REDACTED]. Dkt. 160, Exh. A at 1. Therefore, she requests a six-week extension of her surrender date, but advises that she may need an additional extension in December. Dkt. 160 at 3.

Based on all of the information before the Court, it appears that the scheduling of this surgery now is an attempt to postpone the incarceratory sentence that has been imposed and is scheduled to soon commence. The Court has made every effort to accommodate the Defendant in terms of scheduling her sentencing hearing and surrender date after she was convicted in February 2024. There was no mention of any major medical issue or the need for any future surgery in [REDACTED] filed in support of Defendant at time of sentencing. Her final presentence report (PSR) states that [REDACTED]. At no time during the sentencing hearing did the Defendant or her counsel relay that she had significant health issues that required immediate attention, or that imminent surgery was necessary or even contemplated.

Only after this Court imposed an incarceratory sentence in July 2024 has the Defendant now informed the Court that she seeks to undergo [REDACTED] surgery, right before her surrender date. The supporting medical information provided by Defendant does not state that there is an emergency need for this surgery at this particular time, and instead states that

[REDACTED]

[REDACTED].

Even if Defendant is not deliberately scheduling the upcoming surgery in order to push off her surrender date, the voluntary surrender date has been set for several months and there is no basis to adjourn it for six weeks as requested. The medical information submitted states that [REDACTED]

[REDACTED]

[REDACTED]. Dkt. 160, Exh. A at 2. In addition, the medical documentation provided suggests that [REDACTED]

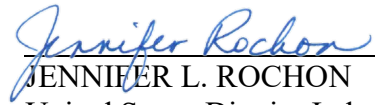
[REDACTED]. Therefore, a six-week adjournment would not be sufficient to facilitate the non-emergency medical procedure that Defendant seeks to undergo and a lengthy disruption of the imposition of Defendant's sentence is not warranted, under the circumstances here.

Although the government has consented to a six-week extension, the Court finds that an extension of the voluntary surrender date is not justified. Defendant's October 16, 2024 surrender date has been scheduled since July 2024 and will not be moved. There is no indication that the Bureau of Prisons will not be able to address Defendant's current medical needs.

Defendant's request to adjourn the surrender date at Dkt. 160 is DENIED. By October 1, 2024, Defendant's counsel is ORDERED to provide a copy of this order to the Defendant's doctors who submitted the letters attached to her September 27, 2024 request.

Dated: September 30, 2024
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge